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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 11th April, 1963:—

Issue No.	No. and Date	Issued by	Subject
50	G.S.R. 510, dated 20th March, 1963.	Ministry of Works, Housing & Supply.	The Indian Boiler (Amendment) Regulations, 1962.
51	G.S.R. 511, dated 21st March, 1963.	Ministry of Food & Agriculture.	Directives that payment shall be made by a producer of Sugar by vacuum pan process or his agent, for sugarcane delivered at the gate of the factory during 1st November, 1962 to 31st October, 1963.
52	G.S.R. 512, dated 22nd March, 1963.	Ditto.	The Rice (Uttar Pradesh) Second Price Control (Second Amendment) Order, 1963.
53	G.S.R. 513, dated 23rd March, 1963.	Ditto.	Nominating Shri P. Venkatasubbaiah, Member, Lok Sabha as a director of the Central Warehousing Corporation.
54	G.S.R. 569, dated 28th March, 1963.	Ministry of Finance	Prohibiting the export of Cashew Kernels, produced or processed in India, with effect from the 1st April, 1963.
55	G.S.R. 570, dated 29th March, 1963.	Ditto.	Exempting methyl acrylate polymer, when imported into India, from so much of that portion of the duty of Customs leviable thereon.
56	G.S.R. 571, dated 29th March, 1963.	Ministry of Food & Agriculture.	The Delhi Roller Flour Mills Wheat Products (Price Control) Amendment Order, 1963.

Issue No.	No. and Date	Issued by	Subject
57	G.S.R. 572, dated 30th March, 1963.	Lok Sabha Secretariat	The Members of Parliament (Travelling and Daily Allowances) Amendment Rules, 1963.
58	G.S.R. 573, dated 30th March, 1963.	Rajya Sabha Secretariat.	The members of Parliament (Travelling and Daily Allowances) Amendment Rules, 1963.
59	G.S.R. 574, dated 30th March, 1963.	Ministry of Food & Agriculture.	Notifying that Shri Madho Lal B. Shah, Chairman, Gujarat State Co-operative Union, Ahmedabad has been nominated by the National Co-operative Development Corporation as a Director of the Central Warehousing Corporation.
60	G.S.R. 575, dated 30th March, 1963.	Ministry of Mines & Fuel.	The Kerosene (Price Control) Order, 1963.
61	G.S.R. 576, dated 30th March, 1963.	Ministry of Food & Agriculture.	The Indian Maize (Temporary Use in Starch Manufacture) Amendment Order, 1963.
62	G.S.R. 577, dated 31st March, 1963.	Ministry of Finance.	Appointing the 1st day of April, 1963, as the date on which the Central Sales Tax shall come into force.
63	G.S.R. 602, dated April, 1963.	3rd Ministry of Food & Agriculture.	Appointing Shri D.C. Das, I.C.S., as Managing Director of the Central Warehousing Corporation.
64	G.S.R. 639, dated April, 1963.	11th Ministry of Finance	Prohibiting absolutely the import into India of any of the book entitled "AYESHA", or any translation, reprint or other document containing a substantial reproduction of any matter contained therein.
65	G.S.R. 640, dated April, 1963.	11th Ministry of Food & Agriculture.	Appointing Shri P. Venkatasubbaiah, Member, Lok Sabha, and a director of the Central Warehousing Corporation.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 9th April 1963

G.S.R. 642.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to General Central Service Class III Posts in the Legislative Department, Ministry of Law, namely:—

1. Short Title.—These rules may be called the Ministry of Law (Legislative Department) Class III Posts Recruitment Rules, 1963.

2. Application.—These rules shall apply to the Class III posts in the Legislative Department, Ministry of Law as specified in column 1 of the Schedule hereto annexed.

3. Classification and Scales of Pay etc.—The classification of the said posts, the scale of pay attached thereto, the method of recruitment to the said posts, age limit, and other matters relating to the said posts shall be as specified in columns 6 to 13 of the Schedule annexed thereto:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Schedule Castes and Scheduled Tribes and other special categories of persons in accordance with the general orders of the Government of India issued from time to time.

4. Disqualification.—No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and

No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

SCHEDULE

*Recruitment Rules for Class III posts in the Legislative Department,
Ministry of Law*

- | | |
|------------------------------------------------------------|-------------------------------------------------------------------|
| 1. Name of post | Copy-holders-Grade III |
| 2. Number of posts | Ten. |
| 3. Its classification and whether Gazetted or non-Gazetted | General Central Service, Class III
(Non-gazetted-Ministerial). |
| 4. Scale of pay | Rs. 110-3-131-4-155-EB-4-175-5
—180. |
| 5. Whether a selection post or non-selection post | |
| 6. Age limit for direct recruits | 18-23 years. |

7. Educational and other qualifications required *Essential*
- (i) Matriculation or equivalent examination.
 - (ii) Should be able to type at least 30 words per minute in English (Relaxable in the case of physically handicapped persons).
- Desirable*
- (i) Experience of English Copy-holding, proof reading work in a Printing Press or a News paper office.
 - (ii) Knowledge of Hindi.
8. Whether age and educational qualifications prescribed for direct recruitment will apply in case of recruitment by promotion/transfer, *Transferees*
- | | |
|--------------------------------------|------|
| Age | No. |
| Educational and other qualifications | Yes. |
9. Period of probation, if any Two years.
10. Methods of recruitment, i.e. whether by direct recruitment, by promotion or by transfer and percentages of vacancies to be filled by the various methods. By transfer, failing which by direct recruitment.
11. In case of vacancies filled by promotion/transfer, grades/sources from which promotion/transfers are to be made. Transfer—Suitable persons working in similar or equivalent grade in Government of India Presses or a Central or State Govt. office.
12. If a D.P.C. exists for recruitment by promotion, composition thereof. Does not arise.
13. Circumstances in which UPSC is to be consulted in making appointment. Not applicable.

[No. F. 50(73)/62-Adm.I(LD)]

V. N. BHATIA, Joint Secy.

MINISTRY OF HOME AFFAIRS*New Delhi, the 8th April 1963*

G.S.R. 643.—The following draft of certain rules, which it is proposed to make in pursuance of section 3 of the Registration of Foreigners Act, 1939 (16 of 1939), read with the notification of the Government of India in the Ministry of External Affairs No. G.S.R. 1557, dated the 24th November, 1962, is published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the draft rules will be taken into consideration by the Central Government on or after the 8th May, 1963. Any objection or suggestion which may be received from any person with respect to the draft rules before the said date will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Registration of Foreigners (Extension to Pondicherry) Rules, 1963.

2. All rules made under section 3 of the Registration of Foreigners Act, 1939, shall extend to, and come into force in, the Union territory of Pondicherry.

[No. 6/21/62-(1)-F.I.]

New Delhi, the 9th April 1963

G.S.R. 644.—In exercise of the powers conferred by section 3 of the Registration of Foreigners Act, 1939 (16 of 1939), the Central Government hereby makes the

following rules further to amend the Registration of Foreigners Rules, 1939, the same having been previously published as required by the said section:—

1. These rules may be called the Registration of Foreigners (Amendment) Rules, 1963.

2. In the Registration of Foreigners Rules, 1939, for clause (a) of sub-rule (7) of rule 14, the following clause shall be substituted, namely:—

“(a) “hotel” includes any boarding-house, club, dak bungalow, rest house, paying guest house, sarai or other premises of like nature;”

[No. 6/129/62-F.I.]

FATEH SINGH, Jt. Secy.

New Delhi, the 9th April 1963

G.S.R. 645.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following contracts made in the exercise of the executive power of the Union may be executed on his behalf by the Director General of Civil Defence or by the Deputy Director General of Civil Defence, namely:—

Contracts for running the catering service at the hostels of the National Fire Service College, Nagpur and the Central Emergency Relief Training Institute, Nagpur.

[No. F. 19/38//63-Judl.II.]

P. N. KAPUR, Dy. Secy.

New Delhi, the 11th April 1963

G.S.R. 646.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Deputy Commissioner's Gazetted Establishment (Andaman and Nicobar Islands) Recruitment Rules, 1961, published with the Ministry of Home Affairs Notification No. 4/56/60-ANL, dated the 9th June, 1961, namely:—

1.(1) These rules may be called the Deputy Commissioner's Gazetted Establishment (Andaman and Nicobar Islands) Recruitment (Amendment) Rules, 1963.

(2) They shall be deemed to have come into force on the 30th January, 1963.

2. In the Schedule to the Deputy Commissioner's Gazetted Establishment (Andaman and Nicobar Islands) Recruitment Rules, 1961, in the entries appearing against serial number 2,—

(i) for the words “Revenue Assistant Commissioner” appearing in column 1, the words “Additional District Magistrate” shall be substituted;

(ii) for the entry “sp. Pay Rs. 75/- p.m.” appearing in column 3, the entry “Special Pay Rs. 100/- p.m.” shall be substituted.

[No. 4/22/63-AN.]

M B. MALHOTRA, Under Secy.

ORDERS

New Delhi, the 8th April 1963

G.S.R. 647.—Whereas in the opinion of the Central Government the publications entitled “Chinese Historical Geography, Part II” published by Chinese Cultural Publication Enterprise, Taipei, Formosa, and “History of the Intercourse between China and the West” published by the Chung Hua Book Company, Tainel.

Formosa, contain prejudicial reports as defined in clause (7) of rule 35 of the Defence of India Rules, 1962;

Now, therefore, in exercise of the powers conferred by rule 45 of the Defence of India Rules, 1962, the Central Government hereby—

- (a) prohibits the further sale or distribution of the said publications or any extract therefrom or of any translation thereof, and declares the said publications and every copy or translation thereof or extract therefrom, to be forfeited to Government; and
- (b) directs every person possessing any copy of the said publications to deliver the same to the local police authorities.

[No. 59/52/63-Poll. I.]

New Delhi, the 11th April 1963

G.S.R. 648.—Whereas in the opinion of the Central Government the issue No. 15, dated April 6, 1963, of 'China Today', edited, printed and published by Wang Chih-hsi for the Information Office of the Embassy of the People's Republic of China in India, Jind House, Lytton Road, New Delhi, contains prejudicial reports as defined in clause (7) of rule 35 of the Defence of India Rules, 1962;

Now, therefore, in exercise of the powers conferred by rule 45 of the Defence of India Rules, 1962, the Central Government hereby—

- (a) prohibits the further sale or distribution of the said issue or any extract therefrom or of any translation thereof, and declares the said issue and every copy or translation thereof or extract therefrom, to be forfeited to Government; and
- (b) directs every person possessing any copy of the said issue to deliver the same to the local police authorities.

[No. 62/4/63-Poll. I.]

P. K. DAVE, Dy. Secy.

MINISTRY OF FINANCE

(Department of Revenue)

CUSTOMS

New Delhi, the 13th April 1963

G.S.R. 649.—In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 73-Customs, dated the 1st March, 1963, namely:—

In the said notification, for the words "leviable thereon which is specified in the said First Schedule", in the two places where they occur, the words, figures and brackets "leviable thereon under the Indian Tariff Act, 1934 (32 of 1934)" shall be substituted.

[No. 106/F.No. 14/11/63-Cus.I.]

S. VENKATESAN, Dy. Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 20th April, 1963

G.S.R. 650.—In exercise of the powers conferred by Rule 4 of the Central Excise Rules, 1944, and in supersession of its notification No. 3—Central Excise, dated 1st February, 1951, the Central Board of Revenue hereby appoints for the

purposes of rule 56, sub-rule (6) of Rule 83, Rules 85 and 197 of the said Rules, the following officers, as Central Excise Officers, namely :—

I. Chief Chemist, Central Revenues Control Laboratory, New Delhi;

II. Deputy Chief Chemists, Chemical Examiners, Assistant Chemical Examiners and Chemical Assistants of—

(a) Central Revenue Control Laboratory, New Delhi;

(b) Custom House Laboratories, Calcutta, Madras, Bombay, Okha, Cochin, Kandla and Digboi.

[No. 51/63.]

L. S. MARTHANDAM, Dy. Secy.

(Department of Revenue)

CENTRAL EXCISES

New Delhi, the 20th April, 1963.

G.S.R. 651.—In exercise of the powers conferred by sub-rule (1) of rule 8 of the Central Excise Rules, 1944, the Central Government hereby rescinds the notification of the Government of India in the Ministry of Finance (Revenue Division) N 24/55-Central Excises, dated the 9th May, 1955.

[No. 59/63.]

L. M. KAUL, Dy. Secy.

MINISTRY OF COMMERCE & INDUSTRY

New Delhi, the 9th April 1963

G.S.R. 652.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Indian Salt Service Recruitment Rules, published with the notification of the Government of India in the late Ministry of Production No. S.R.O. 1686, dated the 13th May, 1954, namely:—

1. These rules may be called the Salt Service Recruitment (Amendment) Rules, 1963.
2. In the Salt Service Recruitment Rules, in the Statement showing the mode of recruitment and promotion to isolated Gazetted posts in the

Salt Commissioner's Organisation, for the entries in columns 6 to 10 the following entries shall be substituted namely:—

6	7	8	9	10
“(i) By direct recruitment and (ii) by promotion.	(i) For direct recruitment through the U.P.S.C. (ii) For promotion from the grade of Overseers subject to entries under column 8.	50 % by promotion. For the purpose of eligibility of promotion to the grade of Assistant Civil Engineer, the Overseers should satisfy the following conditions; In the case of Diploma holders who pass Sections A & B of the A.M.I.E. Examination while in service, they should have completed 3 years' service from the date they pass the A.M.I.E. or the date on which they started drawing pay @ Rs. 240/- per month in the revised scale of pay whichever is earlier. In the case of permanent Diploma holders they should have completed 8 years' service in the grade of Overseers.	50% by direct recruitment.	As required under the rules.”

[No. F. 14(4)/62-Estt.I.]

S. R. BANERJEE, Under Secy.

New Delhi, the 5th April 1963

G.S.R. 653.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to Class I and Class II gazetted posts in the office of the Jute Commissioner, namely:—

1. Short title.—These rules may be called the Office of the Jute Commissioner (Class I and Class II Gazetted Posts) Recruitment Rules, 1963.

2. Application.—These rules shall apply to the posts in the Office of the Jute Commissioner specified in Column 1 of the Schedule hereto annexed.

3. Classification & Scales of Pay etc.—The number of the said posts, their classification, the scale of pay attached thereto, the method of recruitment to the said posts, age limit, and other matters relating to the said posts shall be as specified in Columns 2—13 of the Schedule aforesaid;

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the general orders of the Government of India issued from time to time.

4. Disqualification.—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by

reason of its taking place during the life-time of such spouse, shall be eligible for appointment to any of the said posts; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

Recruitment Rules for the Class I and Class II Posts in the Jute Organisation, Ministry

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection	Age limit for direct recruits	Educational and other qualifications required for direct recruits
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Jute Commissioner.	1	Class I (Gazetted).	Rs.2250-per month (fixed).	Selection.	Not applicable.	Not applicable.
2. Industrial Adviser (Jute Production).	1	Do.	Rs.1300-60-1600-100-1800	Not applicable.	Preferably below 50 years.	<p><i>Essential:—</i></p> <p>(i) Degree in Mechanical Engineering or Degree/Diploma in Textile Engineering or Textile Technology or Textile Manufacture according to the courses imparted at the Textile Institutes or Degree or Diploma in Jute Technology of a recognised University/Institution or equivalent qualification.</p> <p>(ii) About ten years' experience in a responsible post connected with jute mills and/or jute mill machinery manufacturing concerns.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable :—</i></p> <p>Practical experience of different branches of jute/textile mills.</p>

of Commerce and Industry

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation if any	Method of recruitment, whether by direct recruitment or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of recruitment by promotion, transfer, grades from which promotion to be made	If a D.P.C. exists what is its composition	Circumstances in which U.P.S.C. is to be consulted in making recruitment
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(8)	(9)	(10)	(11)	(12)	(13)
Not applicable.	Not applicable.	In accordance with the Senior Staffing Scheme of the Government of India.	Not applicable.	Not applicable.	As required under the Rules.
Do.	2 years.	Direct recruitment.	Not applicable.	Do.	Do.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
3. Cost Accounts Officer.	1	Class I (Gazetted).	Rs.1100-50-1400.	Not applicable.	45 years and below (relaxable for Government servants).	<p><i>Essential:—</i></p> <p>(i) Associate Membership of the Institute of Cost & Works Accountants, London or the Indian Institute of Cost & Works Accountants, Calcutta, acquired after passing the final examination of the Institute.</p> <p>(ii) About ten years' practical experience in Cost Accounting in a responsible post in a Government Organisation or in a reputed industrial Organisation of which at least 3 years must be in Jute Industry.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.</p> <p><i>Desirable:—</i> Degree of a recognised University.</p>
4. Assistant Director (Jute Manufacture) Grade I.	1	Class I (Gazetted).	Rs. 400-400-450-30-600-35-670-EB-35-950.	Not applicable.	35 yrs. and below (relaxable for Government servants).	<p><i>Essential :—</i></p> <p>(i) Degree in Mechanical Engineering or Degree/Diploma in Textile Engineering or Textile Technology or Textile Manufacture (according to the courses imparted at the Textile Institutes) or Degree or Diploma in Jute Technology of a recognised University/Institution or equivalent qualification.</p>

(8)	(9)	(10)	(11)	(12)	(13)
Not applicable.	2 years.	Direct recruitment .	Not applicable.	Not applicable.	As required under the rules.

Not applicable.	2 years.	Direct recruitment.	Not applicable.	Not applicable.	As required under the rules.
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1	2	3	4	5	6	7
						(ii) About 3 year's practical experience of working in a jute mill of repute in a technical capacity or 3 years' practical experience of which one year is in a supervisory capacity in an Engineering Work shop/concern of repute manufacturing jute mill machinery.
						Qualifications relaxable at Commissions' discretion in case of candidates otherwise well qualified.
5. Assistant Director (Technical) (Grade II) (Previously designated as an Assistant Controller).	I	Class II (Gazetted) 25-500-30-590-800 (Non-Ministerial) EB-30-800	Selection	35 yrs. & below.	Essential :—	(i) Degree or Diploma in Jute Technology of a recognised University or Institution. (ii) About 2 years' practical experience of working in Jute Mills of repute in technical capacity. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.
					Desirable :—	Degree of a recognised University.
6. Deputy Director (Executive and Financial).	I	Class I (Gazetted) 40-1100-50/2-1250	Selection.	40 years and below (relaxable for Government servants)	Essential :—	(i) Degree of a recognised University. (ii) About 7 years' experience of work connected with development production and marketing of jute and its products. Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.
					Desirable :—	Knowledge of working of jute mills.

8 9 10 11 12 13

No	2 years	By promotion falling which by direct recruitment.	Promotion :— Inspectors (Grade I), with 3 years' service in the grade.	Class II D.P.C.	As required under the rules
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No	2 years.	By promotion when the lower posts of Executive Officer is not held by a deputationist, failing which by deputation.	Promotion :— Executive Officer (with three years' service in the grade.) Deputation :— Suitable Officers from equivalent grade / post in the Central Services, Class I.	Class I D.P.C.	Do.
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1	2	3	4	5	6	7
7. Executive Officer	I Class I (Gazetted)	Rs. 740- 35-950.	Do.	Not applicable	Not applica ble	
8. Assistant Director (Economic)	I Class I (Gazetted)	Rs. 400- 400-450- 30-600- 35-670- EB-35- 950	Not applicable	35 yrs. & below (re- laxable for Gov- ernment servants)	<p><i>Essential :—</i></p> <p>(i) Degree of a recog- nised University.</p> <p>(ii) About 3 years' ex- perience of work co- nected with develop- ment, production and marketing of Jute & its products.</p> <p><i>Qualifications :—</i>relax- able at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable :—</i>Know- ledge of working of Jute mills.</p>	
9. Administrative Officer.	I Class II (Gazetted)	Rs. 400- 25-500- 30-590 EB-30- 800.	Selection	Not applicable.	Not applicable.	

8	9	10	11	12	13
Not applicable.	2 years	By promotion when the lower posts of Executive officer is not held by a deputy, failing which by deputation	<p><i>Promotion :—</i></p> <p>From the post of Assistant Director (Economic) with three years' service in the grade.</p> <p><i>Deputation :—</i></p> <p>Officers from equivalent grade/post in the Central Services, Class I.</p>	Class I D.P.C.	As required under the rules
Not applicable.	2 years.	Direct recruitment failing which by deputation	<p><i>Deputation :—</i></p> <p>An officer from the Indian Economic Service.</p>	Not applicable.	As required under the rules.
Not applicable	Do.	By promotion failing which by deputation.	<p><i>Promotion :—</i></p> <p>Superintendent with three years' service in the grade.</p> <p><i>Deputation :—</i></p> <p>From equivalent grade/post from Central Service Class II.</p>	Class II D.P.C.	Do.

[No. 8-E.I(3)/60-Estt.IV.]

K. N. R. PILLAI, Under Secy.

Department of Company Law Administration*New Delhi, the 9th April 1963*

G.S.R. 654.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules to amend the Department of Company Law Administration. (Classes I, II and III posts) Recruitment Rules, 1962, published with the Notification of the Government of India in the Ministry of Commerce and Industry (Department of Company Law Administration) No. G.S.R. 837, dated the 15th June, 1962 namely:—

1. These rules may be called the Department of Company Law Administration (Classes I, II and III Posts) Recruitment (Amendment) Rules, 1963.

2. In the Department of Company Law Administration (Classes I, II and III Posts) Recruitment Rules, 1962,—

(i) in Schedule I, for the entries in columns 10 and 11 relating to item 6, the following entries shall be substituted, namely:—

	10	11
50% by direct recruitment 50% by promotion.	(i) 25 % of the posts may be filled by promotion of Technical Assistant/Junior Technical Assistant, who have passed the Departmental examination and have put in at least 3 years of service in the grade, and (ii) 25% of the posts may be filled in by promotion of Technical Assistants/Junior Technical Assistants, who have not passed the Departmental examination, but have put in 5 years of service in the grade. In case all the posts reserved for this category of officers cannot be filled as aforesaid such of the remaining posts may be filled in accordance with (i) above.	

(ii) In Schedule III for item 1 to 5 and the entries relating thereto, the following item and entries shall be substituted, namely:—

1	2	3	4	5	6	7
1. Superintendent, Grade I.	4	Class III non-gazetted Ministerial.	Rs. 350—20— 450—25—475	..	100%	..
2. Superintendent, Grade II	23	Do.	Rs. 210—10—290 —15—320—EB —15—380.	..	100%	..
3. Technical Assistant.	48	Do.	Rs. 210—10— 290—15—320— EB—15—425	50%	50%	..

8	9	10	11	12	13
..	..	..	..	Not applicable	Superintendents grade II in the field offices with 3 years service in that Grade.
..	..	..	..	Not applicable	(i) Upper Division Clerks in the Region, with 3 years of service in the grade, and (ii) Permanent Stenographers in the Region who have worked as U.D.C. Clerk for 2 years.
..	25 years.	Chartered Accountant or M. Com. with advanced Accountancy or B. Com. (Hons) with advanced Accountancy.	1 year	Not applicable but Graduates in Economics or Commerce may be preferred.	(i) Upper Division Clerks in the Region who have passed the Departmental Examination and have put in 3 years of service in the Grade, and (ii) Permanent Stenographers in the Region who have worked as Upper Division Clerks for 2 years and have passed the Departmental Examination

(Department of Company Law Administration)*New Delhi, the 9th April 1963*

G.S.R. 655.—In exercise of the powers conferred by the proviso to sub-section (1) of Section 594 of the Companies Act, 1956 (1 of 1956) (hereinafter referred to as the Act), and in partial modification of the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) S.R.O. 3216, dated the 4th October, 1957, the Central Government hereby directs that the requirements of clause (a) of sub-Section (1) of Section 594 of the Act shall apply to British Ropeway Engineering Co. Ltd., (hereinafter referred to as the company), being a foreign company, subject to the following exceptions and modifications, namely:—

It shall be deemed to be sufficient compliance with the provisions of clause (a) of sub-section (1) of Section 594 of the Act, if, in respect of the year ended the 31st December, 1962, the company submits to the appropriate Registrar of Companies in India, in triplicate.

- (i) a copy of the authenticated balance sheet and profit and loss account (including documents relating to every subsidiary of the company) as submitted by it to the prescribed authority in the country of incorporation under the provisions of the law in that country;
- (ii) a statement of (a) its assets and liabilities in India and (b) its actual receipts and payments in India, certified by two directors of the company and a person authorised to accept service of process in India under clause (d) of sub-section (1) of Section 592 of the Act; and
- (iii) a certificate by the aforementioned persons to the effect that the company does not carry on business in India other than that of completing the remnants of the contracts and collecting bills.

[No. F. 14(7)-CL.VI/63.]

N. PARASURAMAN, Under Secy.

ORDER*New Delhi, the 6th April 1963*

G.S.R. 656.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby make the following Order further to amend the Cotton Control Order, 1955, namely:

1. This Order may be called the Cotton Control (Amendment) Order, 1963.
2. In the Cotton Control Order, 1955 clause 19 shall be omitted.

[No. 24(5)-Tex(A)/63.]

M. S. BAWA, Under Secy.

MINISTRY OF HEALTH*New Delhi, the 8th April, 1963*

G.S.R. 657.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Drugs Laboratory (Class III and Class IV posts) Recruitment Rules, 1959, published with the notification of the Government of India in the Ministry of Health No. F. 5-30/58-D dated the 31st December, 1959, namely:—

1. **Short Title.**—These rules may be called the Central Drugs Laboratory (Class III and Class IV posts) Recruitment (Amendment) Rules, 1963.

2. In the Central Drugs Laboratory (Class III and Class IV posts) Recruitment Rules, 1959, in the Schedule, under the heading 'Class III Posts' in item 16 relating

to Glass Blower, for the entry in column 3, the following entry shall be substituted, namely:—

"110-3-131-4-143-EB-4-155."

[No. F.5-44/61-D]

A. C. RAY, Under Secy.

MINISTRY OF WORKS, HOUSING & REHABILITATION

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th April 1963

G.S.R. 658/R/Amdt. LXIX.—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following rules further to amend the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

1. These rules may be called the Displaced Persons (Compensation and Rehabilitation) Second Amendment Rules, 1963.

2. In the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the second proviso to sub-rule (2) of rule 17, the following words, brackets and numbers shall be omitted, namely:—

"who has not been allotted any property compulsorily under sub-rule (4)².
(Amendment No. LXIX, dated 9th April, 1963)

[No. F. 10(6)Comp. & Prop/62.

N. P. DUBE, Jt. Secy

MINISTRY OF FOOD & AGRICULTURE

(Department of Food)

New Delhi, the 9th April 1963

G.S.R. 659.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment and conditions of service of persons employed as Cook in the Central Marine and Inland Fisheries Research Institutes, namely:—

1. **Short title.**—These rules may be called the Central Marine and Inland Fisheries Research Institutes Class IV post (Cook) Recruitment Rules, 1963.

2. **Application.**—These rules shall apply to the post of Cook in the Central Marine and Inland Fisheries Research Institutes.

3. **Number, classification and scale of pay.**—The number of the said post, the classification thereof and the scales of pay attached thereto, shall be as specified in columns 2 to 4 of the Schedule hereto annexed.

4. **Method of recruitment, age limit, other qualifications etc.**—The method of recruitment to the said post, the age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 13 of the said Schedule.

Provided that the upper age limit specified for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes or Scheduled Tribes and other special categories of persons, in accordance with the orders issued by the Government of India from time to time.

Disqualification.—1. No person who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to the said post; and

2. No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCH

Name of post	No. of posts	Classification	Scale of pay	Whether Selection or non-selection post	Age limit for direct recruits	Educational and other qualifications required
1	2	3	4	5	6	7
Cook	One	General Central Service Class IV Non-gazetted.	Rs. 70—1—80— EB—1—85.	N.A.	18—25 years	Must be an efficient cook of both Indian and Western dishes.

SCHEDULE

Whether age and educational qualifications prescribed for the direct recruits. will apply in the case of promotees	Period of probation	Method of recruits. whether by direct rectt. or by promotion or transfer, percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/transfer grades from which promotion to be made	If a D.P.C. exists what is its composition	Circumstances in which UPSC is to be consulted in making recruitment
8	9	10	11	12	13
N.A.	Two years	100% direct recruitment.	N.A.	Not applicable	Not applicable

[No. 1-100/62-FY(I).]

C. R. SRINIVASAN, Under Secy.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS*New Delhi, the 30th March, 1963.*

G.S.R. 660.—In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of the post of Director of Physical Training in the Delhi Polytechnic viz:—

1. **Short title.**—These rules may be called the Delhi Polytechnic Director of Physical Training Recruitment Rules, 1963.

2. **Application.**—These rules shall apply to the post specified in Column 1 of the Schedule hereto annexed.

3. **Classification and Scales of pay etc.**—The classification of the post, the scale of pay attached thereto, the method of recruitment to the post, age limit and other matters relating to the post shall be as specified in column 3 to 13 of the said Schedule:

Provided that the upper age limit specified for direct recruitment in column 6 of the said schedule may be relaxed in the case of Scheduled Castes or Scheduled Tribes and other special categories of persons in accordance with the general orders of the Government of India issued from time to time.

4. **Disqualification.**—No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied, that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHM

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits
1	2	3	4	5	6
Rs.					
Director of Physical Training	1	GCS Class II (Gazetted) (Non-Ministerial).	375—25—500—N.A. 30—590— EB—30—650		35 years and below (relaxable for Govt. servants).

RULE

Educational & Other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of Promotees	Period of probation if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by Promot or/ transfer, gr des from which promotion to be made	If DPC exists, what is its composition	Circumstances in which UPSC is to be consulted in making rectt.
7	8	9	10	11	12	13
<p>Essential:— Degree or postgraduate diploma in Physical Education of any recognised University or equivalent.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise qualified.</p> <p>Desirable:— Experience in Physical training.</p>	N.A.	2 years	Direct Rectt.	N.A.	N.A.	As required under the rules.

[No. F. 5-105/58-T.1.]

K. N. SUNDARAM,
Assistant Educational Adviser.

New Delhi, the 11th April 1963

G.S.R. 661.—In exercise of the powers conferred by the proviso to article 309 of the Constitution and in supersession of the rules issued with the notifications of the Government of India in the late Department of Education, Health and Lands No. F 51-18/36-E. dated the 2nd December, 1937 and the Ministry of Agriculture No. 32-64/46-Z dated the 22nd March, 1949, the President hereby makes the following rules regulating the method of recruitment to the Central Service Class I and

Class II posts in the Zoological Survey of India under the Ministry of Scientific Research and Cultural Affairs, namely:—

1. **Short title and commencement.**—These rules may be called the Zoological Survey of India (Central Service Class I and Class II posts) Recruitment Rules, 1963.

(2) These rules shall come into force at once.

2. **Application.**—These rules shall apply to Class I and Class II posts in the Zoological Survey of India as specified in Column I of the Schedule annexed hereto.

3. **Number, Classification and Scale of pay.**—The number of posts, classification of the said posts and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matter connected therewith shall be as specified in columns 5 to 13 of the Schedule aforesaid:

Provided that the upper age limit specified in column 6 of the said schedule for direct recruitment in respect of all posts other than the post of Director, may be relaxed:—

(a) in the case of Government servants,

(b) in the case of candidates belonging to the Scheduled Castes, the Scheduled Tribes or displaced persons and other categories of persons in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualifications.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service, and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service.

Provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

RECRUITMENT RULES FOR THE POST OF CLASS I & CLASS II POSTS IN THE

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or Non-selection post	Age limit for direct recruits	Educational & Other qualifications required for direct recruits
1	2	3	4	5	6	7
1. Director	1	C. C. S. Class-I.	Ra. 1300—60— 1600.	N.A.	50 years.	Essential: (i) At least a Second Class M.Sc. degree in Zoology of a recognised University.

ZOOLOGICAL SURVEY OF INDIA

Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a D.P.C. exists, what is its composition	Circumstances in which U.P. S.C. is to be consulted in making rectt.
8	9	10	11	12	13
N.A.	2 years	On contract for 5 years which might be extended for a maximum period of another 5 years.	N.A.	N.A.	As required under the rules.

1	2	3	4	5	6	7
Rs.						
						<p>(ii) Extensive experience in original zoological research and faunistic survey work and of guiding research (copies of published papers to be submitted as evidence of research).</p> <p>(iii) Administrative experience and experience of running a large research deptt.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.</p> <p><i>Desirable :</i></p> <p>(i) Doctorate in Zoology.</p> <p>(ii) Practical experience in the arrangement of museum collections.</p>
2. Dy. Director	2 C. C. S. Class-I.	1100—50—1400.	Selection.	45 years.		<p><i>Essential :</i></p> <p>(i) At least a Second Class M.Sc. degree in Zoology of recognised University.</p> <p>(ii) About 10 years, research experience in Zoology with special reference to systematics, morphology, and ecology of animals (copies of published papers to be submitted as evidence of research).</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.</p> <p><i>Desirable :</i></p> <p>(i) Doctorate in Zoology.</p> <p>(ii) Experience of conducting field surveys and guiding research.</p> <p>(iii) Administrative experience in a research department.</p> <p><i>Essential:</i></p> <p>(i) At least a Second Class M.Sc. degree in Zoology of a recognised University.</p> <p>(ii) About 5 years research experience in zoology with special reference to systematics, morphology and ecology of animals.</p>
3. Superintending Zoologists.	4 C C S. Class-I.	700—50—1250	Selection.	40 years.		

8	9	10	11	12	13
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No	2 years	50% by direct reect. 50% by promotion.	Promotion : Sang. Zoologist 4 (Rs. 700—1250) with 5 years service in the grade.	Class I D.P.C.	As required under the rules.
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No.	2 years	By promotion falling which by direct recruitment.	Promotion : Curator—1 (400—950). 2. Zoologist—21 (400—950) (with 5 years' ser- vice in respective grades).	Class I D.P.C.	Do.
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1	2	3	4	5	6	7
			Rs.			Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.
						<i>Desirable :</i> (i) Doctorate in Zoology. (ii) Experience of conducting field surveys and of guiding research.
4. Zoologist	21	C.C.S. Class-I.	400—40—800 50—950.	Selection.	25 years.	<i>Essential :</i> (i) At least a Second Class M.Sc. degree in Zoology of a recognised University. (ii) Some experience of survey and/or research work on systematics, morphology and ecology (and/or populations/ Marine Zoology) of animals, especially pertaining to the groups relating to the post concerned. Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified. <i>Desirable :</i> Training/experience in the collection and preservation of Zoological specimens in the field and in handling and maintaining large zoological collections in some museum or zoological research institution.
5. Curator (Zoological Galleries) Indian Museum.	1	C.C.S. Class-I.	400—40—800 —50—550.	Selection.	25 years.	<i>Essential :</i> (i) At least a Second Class M.Sc. degree in Zoology of a recognised University. (ii) Some experience of research in systematics, morphology and ecology of animals including experience of museum display. Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified. <i>Desirable :</i> Training/experience in handling and maintaining large zoological collections and of zoological exhibits in a large public museum.

8	9	10	11	12	13
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No.	2 years	75% Direct recruitment 25% Promotion.	<i>Promotion.</i> 1. Asstt. Zoologist—16 (350—900). 2. Asstt. Curator—2 (350—900). 3. Documentation Officer—1, (350—900) (with 3 years service in the grade).	Class I D.P.C.	As required under the rules.
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No.	2 years	75% direct recruitment 25% Promotion.	<i>Promotion :</i> 1. Asstt. Zoologist—16 (350—900). 2. Asstt. Curator—2 (350—900). 3. Documentation Officer—1 (350—900). (with 3 years service in the grade).	Class I D.P.C.	As required under the rules.
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I	2	3	4	5	6	7
						CLASS II
1. Assistant Zoologist.	16	C.C.S. Class II (Gazetted) (Non-Ministerial).	Rs. 350—25—500—30—590—EB—30—800—30—830—35—900.	Selection.	30 years	<p><i>Essential</i> :—(i) Master's degree in Zoology of a recognised University. (ii) Some experience of research work in systematic, morphology and ecology (and/or population / Marine zoology) of animals, especially pertaining to the group(s) relating to the post concerned.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable</i> :—Training experience in the collection and preservation of zoological specimens in the field and in handling and maintaining large zoological collections in some museum or zoological research institution.</p>
2. Assistant Curator.	2	C.C.S. Class II (Gazetted) (Non-Ministerial).	350—25—500—30—590—EB—30—800—30—830—35—900.	Selection.	years	<p><i>Essential</i> :—(i) Master's degree in Zoology of a recognised University. (ii) Some experience of research work in systematics, morphology and ecology of animals including experience of museum display (Evidence to be furnished).</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable</i> :—Training experience in taxidermy and/or museology.</p>
3. Documentation Officer.	1	C.C.S. Class II (Gazetted).	350—25—500—30—590—EB—30—800—30—830—35—900.	Selection.	30 years	<p><i>Essential</i> :—(i) Master's degree in Zoology of a recognised University. (ii) Training and/or experience in cataloguing scientific (zoological) literature and in preparation of abstracts, bibliographies, etc.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable</i> :—Knowledge of at least one modern European language besides English preferably German, Russian or French.</p>

8	9	10	11	12	13
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POSTS

No	2 years	50% direct recruitment promotion.	re-50%	Promotion : Sr. Zoological Asstt. (325—575) (with 3 years service in their grades) .	Class II D.P.C.	As required under the rules.
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No	2 years	50% direct recruitment 50% promotion.		Promotion : Sr. Zoological Asstt. (325—575) (with 3 years service in their grade).	Class II D.P.C.	As required under the rules.
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No	2 years	50% direct recruitment 50% promotion.	re-	Promotion : Sr. Zoological Asstt. (325—575) (with 3 years service in their grades).	Class II D.P.C.	As required under the rules.
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MINISTRY OF ECONOMIC & DEFENCE COORDINATION*New Delhi, the 9th April 1963*

G.S.R. 662.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Directorate General of Supplies and Disposals (Estimator) Recruitment Rules, 1961 published with the notification of the Government of India in the Ministry of Works, Housing and Supply No. G.S.R. 989, dated the 10th July, 1961, namely:—

1. These rules may be called the Directorate General of Supplies and Disposals (Estimator) Recruitment Amendment Rules, 1963.

2. In the Directorate General of Supplies and Disposals (Estimator) Recruitment Rules, 1961, after rule 5, the following shall be added at the end, namely:—

“6. **Power to relax.**—Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.”

[No. 9/4/63-ESII.]

R. RAJAGOPALAN, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT*New Delhi, the 10th April 1963*

G.S.R. 663.—In exercise of the powers conferred by section 5, read with sub-section (1) of section 7, of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. This Scheme may be called the Employees' Provident Funds (Sixth Amendment) Scheme, 1963.

2. In the Employees' Provident Funds Scheme, 1952, in clause (b) of sub-paragraph (3) of paragraph 1, sub-clause (xxx) shall be renumbered as sub-clause (xxxi) thereof and before sub-clause (xxxi), as so renumbered, the following sub-clause shall be inserted, namely:—

“(xxx) as respects establishment engaged in laundry and laundry services referred to in the notification of the Government of India in the Ministry of Labour and Employment, No. G.S.R. 561, dated the 23rd March, 1963, come into force on the 30th April, 1963”.

[No. 4/2/61-PF.II.]

New Delhi, the 11th April 1963

G.S.R. 664.—In exercise of the powers conferred by section 3, read with section 7, of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Andhra Pradesh Coal Mines Provident Fund Scheme, published with the notification of the Government of India in the late Ministry of Labour No. SRO 637, dated the 12th March, 1956, namely:—

1. This Scheme may be called the Andhra Pradesh Coal Mines Provident Fund (Second Amendment) Scheme, 1963.

2. In the Andhra Pradesh Coal Mines Provident Fund Scheme, hereinafter referred to as the said Scheme,—in paragraph 2, sub-clause (iii) of clause (f) and the proviso thereto shall be omitted.

3. In paragraph 6A of the said Scheme, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely:—

“(3) The period of six months in which the qualifying attendance is required to be put in under sub-paragraph (1) shall, in the case of employees other than those whose basic earnings exceed Rs. 300 per month, be reckoned from the beginning of August 1962 and in the case of employees whose basic earnings exceed Rs. 300 per month, be reckoned from the beginning of November, 1962 or from the beginning of the

month in which an employee is appointed in the coal mine concerned, whichever is later. Where an employee fails to qualify for the membership of the Fund in the first spell of six months, subsequent spells shall be worked out by eliminating the first month of the previous spell and adding up thereto another month at the end".

4. In paragraph 17A of the said Scheme, for the words "or the month in which the employee is appointed, whichever is later" appearing after the word and figure "August, 1962", the words and figures "or November, 1962 or the month in which the employee is appointed, as the case may be", shall be substituted.

[No. 2(305)/63-PF.I/I.]

G.S.R. 665—In exercise of the powers conferred by section 3, read with section 7, of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Rajasthan Coal Mines Provident Fund Scheme, published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 32, dated the 11th February, 1958, namely:—

1. This Scheme may be called the Rajasthan Coal Mines Provident Fund (Second Amendment) Scheme, 1963.

2. In the Rajasthan Coal Mines Provident Fund Scheme, hereinafter referred to as the said Scheme, in paragraph (2), sub-clause (iii) of clause (f) and the proviso thereto shall be omitted.

3. In paragraph 6A of the said Scheme.

for sub-paragraph (3), the following sub-paragraph shall be substituted, namely:—

"(3) The period of six months in which the qualifying attendance is required to be put in under sub-paragraph (1) shall, in the case of employees other than those whose basic earnings exceed Rs. 300 per month, be reckoned from the beginning of August, 1962 and in the case of employees whose basic earnings exceed Rs. 300 per month, be reckoned from the beginning of November 1962 or from the beginning of the month in which an employee is appointed in the coal mine concerned, whichever is later. Where an employee fails to qualify for the membership of the Fund in the first spell of six months, subsequent spells shall be worked out by eliminating the first month of the previous spell and adding up thereto another month at the end".

4. In paragraph 16A, of the said Scheme, for the words "or the month in which the employee is appointed, whichever is later" appearing after the word and figure "August, 1962", the words and figure "or November 1962 or the month in which the employee is appointed, as the case may be" shall be substituted.

[No. 2(305)/63-PF.I/II.]

New Delhi, the 15th April 1963

G.S.R. 666—In exercise of the powers conferred by section 5, read with sub-section (1) of section 7, of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely:—

1. This Scheme may be called the Employees' Provident Funds (Seventh Amendment) Scheme, 1963.

2. In the Employees' Provident Funds Scheme, 1952, in clause (b) of sub-paragraph (3) of paragraph 1, sub-clause (xxxi) shall be renumbered as sub-clause (xxxii) and before sub-clause (xxxii) as so renumbered, the following sub-clause shall be inserted, namely:—

"(xxxi) as respect the industries engaged in the manufacture of buttons, brushes, plastic and plastic products and stationery products, come into force on the 30th day of April, 1963;"

[No. 4(5)/61-PF.II.]

P. D. GAIHA, Under Secy.

DEPARTMENT OF ATOMIC ENERGY*New Delhi, the 26th March 1963*

G.S.R. 667.—In exercise of the powers conferred by sub-sections (2) and (4) of Section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (No. 67 of 1957), the Central Government, after consultation with the Government of State of Punjab, hereby—

- (i) notifies that the Central Government proposes to undertake prospecting and mining operations in respect of atomic minerals in the areas of the said State specified in the Schedule hereto; and
- (ii) declares that no prospecting licence or mining lease shall be granted to any other party in respect of any land in the said areas.

Explanation.—“atomic mineral” means any mineral which is or may be used for the production or use of atomic energy or research into matters connected therewith.

SCHEDULE

(A) An area of 1.8 sq. miles in the area around Chhinjra and Dharmar villages in the Parbati Valley, Kangra district, Punjab State. The area in ABCD and lies in part of Survey of India Topographical Sheet No. 53E/NW.

(B) *Location of Corner Points:*—

1. (i) Corner Point A is situated on the northern bank of the Shat Nala at its junction with the Parbati River (Lat. $31^{\circ} 58' 20''$; Long. $77^{\circ} 12' 56''$) and
 - (ii) 5.3 miles from Shach Δ 11621 along bearing $280^{\circ} 30'$.
2. (i) Corner Point B is situated 2.38 miles from A along bearing $117^{\circ} 00''$; and
 - (ii) 3.12 miles from Shach Δ 11621 along bearing $268^{\circ} 45'$.
3. (i) Corner Point C is situated 1 mile from Corner Point B along bearing $343^{\circ} 00''$; and
 - (ii) 1.81 miles from Corner Point A along bearing $90^{\circ} 30'$.
4. (i) Corner Point D is situated at the junction of the Jan Nala with the Parbati River 1.63 miles from Corner Point C along bearing $311^{\circ} 30''$; and
 - (ii) 1.12 miles from A along bearing $29^{\circ} 30'$.

Total area covered by ABCD is 1.8 sq. miles.

[No. 18/3/62-M.]

H. L. KHANNA, *Jnder Secy.*

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 8th April 1963

G.S.R. 668.—In exercise of the powers conferred by section 87 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following further amendments in the Rules to regulate the grant of Certificates of Competency to Masters and Mates in the Mercantile Marine published with the notification of the Government of India in the late Ministry of Transport No. S.R.O.

1965 dated the 12th June 1954 and continued in force by clause (a) of sub-section (3) of section 461 of the said Act, namely:—

In the said Rules,—

1. for rule 25, the following rule shall be substituted, namely:—

"25. *Second Mate (Foreign-Going)*.—(1) Save as otherwise provided in rule 48, a candidate must not be less than 20 years of age. (2) He must have served for four years at sea on foreign-going ships or must have the equivalent service in accordance with the provisions of Chapter IV."

2. for rule 48, the following rule shall be substituted, namely:—

"48. *Apprentices and cadets*.—Apprentices and cadets, whether bound by indentures or not, will be accepted for examination for a Certificate of Competency as Second Mate (Foreign-Going) or Mate (Home Trade) after service on board a ship for not less than three-quarters of the nominal period of four years, reduced by any remissions granted under rules 51, 52 and 53, provided that a letter from the Master or Owner is produced stating that their service was satisfactorily performed during their period on board the ship. In no case shall a candidate be admitted to the examination until he has completed a minimum period of 27 months on board a ship. The minimum period of 27 months is arrived at after making due allowance for the maximum of 12 months remission in sea service that is permissible for pre-sea training. Where a candidate, having completed the nominal period, is short of the necessary service on board the ship, he will be required to show such additional sea service, either as a seaman or a junior officer, as to make up the deficiency.

The general concession set out above cannot, however, be taken to cover the cases in which, during a large part of the period, the vessel on which the candidate has served has been laid up in port. The proportion of the period which can be accepted as qualifying service in such a case depends on the individual circumstances and each case will be considered on its merits. The Examiners will make as generous an allowance for such service as they properly can but they cannot forego the essential condition that candidates for Certificates of Competency must have sufficient experience of actual service at sea.

A candidate who has completed his qualifying service but has not reached the age of twenty may sit for the examination as soon as he is 19½, but if he is successful the certificate will not be issued until he reaches the age of twenty."

3. rule 49 shall be omitted;

4. for rule 52(iii), the following shall be substituted, namely:—

"(iii) Senior courses in Navigation at Technical or other similar non-residential Schools which candidates attend after completing the whole or a large part of the nominal period required to qualify for examination for a Second Mate's Certificate or for a Mate's (Home-Trade) Certificate; the maximum remission of sea service in these cases will be fixed at the time of approval; it will never exceed three months."

[No. F. 67-MA(2)/63.]

JASWANT SINGH, Under Secy.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 6th April 1963

G.S.R. 669.—In exercise of the powers conferred by sections 5 and 6 of the Bombay Landing and Wharfage fees Act, 1882 (Bombay Act No. 7 of 1882) as applied to the port of Kandla under the notification of the late Ministry of Trans-

port No. 14-P(89)/49-I, dated the 29th June, 1950, the Central Government hereby makes the following further amendments to the Scale of Rates at Kandla Port—Levy of Port charges as published in the Government of India, Ministry of Transport Notification No. 3-P.II(137)/54-I dated the 1st October, 1955, namely:—

Amendment

In Chapter I appended to the said notification, in the table occurring under scale 'A'—wharfage, after item No. 92 and the entries relating thereto, the following items and entries shall be inserted namely:—

Sl. No.	Particulars of goods	Unit	Rate Rs. nP.
"93.	Barrels empty below 180·00 litres cap-city	Each	00·08
93-A.	Barrels empty 180·00 litres capacity and over	Each	00 16"

[No. F. 2-PG(20)/63.]

New Delhi, the 8th April 1963

G.S.R. 670.—In exercise of the powers conferred by sections 5 and 6 of the Bombay Landing and Wharfage Fees Act, 1882 (Bombay Act No. 7 of 1882), as applied to the Port of Kandla under the notification of the late Ministry of Transport No. 14-P(89)/49-I, dated the 29th June, 1950, the Central Government hereby directs that the following further amendment shall be made to the Scale of Rates at Kandla Port—Levy of Port Charges, as published in the notification of the Government of India in the late Ministry of Transport No. 3-P.II(137)/54-I, dated the 1st October, 1955, namely:—

In Chapter I appended to the said notification under the heading Scale 'A', under the sub-heading "Wharfage", after item No. 93 of the table and the entries relating thereto, the following item and entries shall be inserted, namely:—

No.	Particulars of goods	Unit	Rate Rs. nP.
"94	Acetone in Bulk	1000 litres	10·00"

[No. F. 2-PG(24)63.]

New Delhi, the 10th April 1963

G.S.R. 671.—In exercise of the powers conferred by clauses (i) and (jj) of sub-section (1) of section 6 of the Indian Ports Act 1908 (15 of 1908), the Central Government hereby makes the following amendments in the Vizagapatam Port Rules and Scales of Rates, the same having been previously published as required by sub-section (2) of the said section.

Amendment

For rule 13B of the Vizagapatam Port Rules and Scales of Rates, the following shall be substituted, namely:—

"13B: Fees for the services of Port tugs outside the 3-mile limit: Rs. 4,000 per tug per day or part thereof

NOTE.—1. The above charges are exclusive of any charges for insurance of the tug for marine risks. Such charges will be extra.

2. Day counts from midnight to midnight.

3. The charges include the cost of ration to the crew and the victualling of the officers deputed with the tug."

[No. F. 17-PG(12)/62.]

New Delhi, the 15th April 1963

G.S.R. 672.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:—

COCHIN PORT FIRE SERVICE (DISCIPLINE AND APPEAL) RULES, 1963

1. **Short title and commencement.**—(1) These rules may be called the Cochin Port Fire Service (Discipline and Appeal) Rules, 1963.

(2) They shall come into force at once.

2. **Definitions.**—(1) In these Rules, unless the context otherwise requires,—

- (a) "Appointing Authority" in relation to any member of the Fire Service, means the authority empowered to make appointments to the Service;
- (b) "Appellate Authority" means the authority specified in column 4 of Appendix I to these rules;
- (c) "Competent Authority" in relation to the exercise of any particular powers under these rules, means the authority specifically authorised under these rules to exercise such powers;
- (d) "Service" means the Cochin Port Fire Service;
- (e) "member of the Service" means a person appointed to the Service.

3. **Classification.**—The Cochin Port Fire Service shall be classified as the Subordinate Fire Service.

4. **Categories of Posts.**—The Service shall consist of the following categories of posts:—

- (a) Fire Officer,
- (b) Sergeant,
- (c) Fireman-Driver,
- (d) Telephone Operator,
- (e) Leading Fireman,
- (f) Fireman.

5. **Controlling Officer.**—The Deputy Conservator will be the Controlling Officer of the Cochin Port Fire Service.

6. **Summary Penalties.**—(1) The following penalties may be awarded summarily upon the categories of officers enumerated under clauses (c) to (f) of rule 4, namely:—

- (i) extra duty and/or extra drill for a period not exceeding one hour to be imposed by the Sergeant;
- (ii) extra duty or extra drill for a period not exceeding three hours at one hour per day to be imposed by the Fire Officer.

(2) The imposition of these penalties shall not be recorded in the Service Records of the individual or in his personal file.

(3) The person to be punished, shall be given an opportunity to explain the circumstances under which the offence was committed before the penalty is imposed.

7. Penalties.—(1) The following penalties may, for good and sufficient reasons, be imposed on a member of the Service, namely:—

- (a) censure;
- (b) (i) withholding of increments;
- (ii) withholding of promotion including stoppage at an efficiency bar;
- (c) recovery from pay to the extent necessary, of the monetary value equivalent to the amount of increments ordered to be withheld where such an order cannot be given effect to;

Explanation.—In case of stoppage of increment with cumulative effect the monetary value equivalent to three times the amount of increment ordered to be withheld shall be recovered;

- (d) recovery from pay of the whole or part of any pecuniary loss caused to the department, by negligence or breach of orders;

Explanation.—This penalty may be imposed in addition to any other penalty which may be imposed in respect of the same neglect or breach of orders;

- (e) suspension—where a person has already been suspended under rule 13(1) to the extent considered necessary by the authority imposing the penalty;
- (f) reduction to a lower rank in the seniority list or to a lower grade post or time scale or to a lower stage in the time scale;
- (g) compulsory retirement;
- (h) removal from service;
- (i) dismissal from service;

(2) Discharge of a person appointed on probation during the period of probation or of the person appointed to hold a temporary appointment on the expiration of the period of temporary appointment, shall not amount to removal or dismissal within the meaning of this rule.

8. Minor Penalties.—Besides the penalties specified in rules 6 and 7 the following penalties may also, for good and sufficient reasons, be imposed upon the members of the Service, namely:—

- (a) reprimand in the case of subordinates specified in clauses (a) and (b) of rule 4;
- (b) blackmark in the case of subordinates specified in clauses (c) to (f) of rule 4;
- (c) suspension for a period not exceeding fifteen days in the case of subordinates specified in rule 4, if the penalty of reduction to a lower grade, post or time-scale or to a lower stage in the time-scale cannot be imposed.

9. Punishing Authority.—The authority which may impose any of the penalties prescribed in rules 7 and 8 on a member of the Service shall be the authority prescribed in Appendix I to these rules or any higher authority:

Provided that where in any case a competent authority has imposed or has declined to impose a penalty under this rule, a lower authority shall have no jurisdiction to proceed in respect of the same case.

Explanation:

- (a) The fact that a competent authority has imposed or declined to impose a penalty in any case shall not debar a higher authority from exercising his jurisdiction under this rule in respect of the same case.
- (b) The order of a higher authority imposing or declining in any case a penalty under this rule shall supersede any order passed by any lower authority in respect of the same case.

10. Reasonable opportunity to be given.—In a case where it is proposed to impose on a member of the Service any of the penalties mentioned in clauses (a) to (e) of rule 7 and clauses (a) to (c) to rule 8, the delinquent shall be given a reasonable opportunity of making any representation that he may wish to make as laid down in paragraphs 1 and 2 of Appendix II to these rules.

11. Procedure for imposing penalties.—In a case where it is proposed to impose on a member of the Service any of the penalties mentioned in clauses (f) to (i) of rule 7, the procedure indicated in paragraphs 3 to 7 of Appendix II to these rules shall be followed.

12. Exceptions.—(1) The provisions of rules 10 and 11 shall not apply where the officer concerned has absconded or where it is for other reasons impracticable to communicate with him.

(2) The provisions of rule 11 shall not apply where the Government is satisfied that in the interests of security of the State it is not expedient to follow the procedure prescribed in the rules.

(3) All or any of the provisions of rules 10 and 11 may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived where there is difficulty in observing exactly the requirements of the rules and these requirements can be waived without prejudice to the person charged.

(4) If any question arises whether it is reasonably practicable to follow the procedure prescribed in rule 11, the decision thereon of the appointing authority shall be final.

13. Suspension.—(1) A member of the Service may be placed under suspension, where:—

(i) an enquiry into grave charges against him is contemplated, or is pending, or

(ii) a case against him in respect of any criminal offence is under investigation or trial and if such suspension is necessary in the public interest.

(2) A member of the Service who is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention by the authority concerned under this rule.

(3) An order of suspension under clause (i) of sub-rule (1) may be revoked at any time by the authority making the order or by any authority to which it is subordinate.

14. Record to be maintained.—(1) The authority imposing any penalty under rules 7 and 8 shall maintain a record showing:—

(i) the allegations upon which action is taken against the person punished;

(ii) the charges framed, if any;

(iii) the person's representation, if any;

(iv) the evidence recorded, if any, and

(v) the finding and the grounds thereof, if any.

(2) All orders of punishment shall also state the grounds on which they are based and shall be communicated in writing to the person against whom they are passed.

15. Right of Appeal.—A member of the Service may appeal against an order imposing on him any of the penalties specified in rules 7 and 8:—

(a) if such order was passed by an authority specified in column 3 of Appendix I, to the authority specified in the last column thereof;

(b) if such order was passed by an authority higher than that specified in column 3 of Appendix I to the next higher authority to whom the former authority is administratively subordinate;

16. Consideration of appeals by appellate authority.—(1) In the case of an appeal against an order imposing any penalty specified in rules 7 and 8, the appellate authority shall consider,—

(a) whether the facts on which the order was based have been established;

(b) whether the facts established afford sufficient ground for taking action; and

(c) whether the penalty imposed is excessive, adequate or inadequate, and after such consideration shall pass such order as it thinks proper.

(2) In the case of an appeal against an order of the authority under rule 9, the appellate authority shall pass such order as appears to it just and equitable, having regard to all the circumstances of the case

(3) An authority from whose order an appeal is preferred under rule 15 shall give effect to any order made by the appellate authority

17 Form and procedure for submission of appeals.—(1) Every member of the Service submitting an appeal shall do separately and in his own name

(2) Every appeal preferred under these rules shall contain

- (a) all material statements and arguments on which the appellant relies;
- (b) no dis-respectful or improper language; and
- (c) be complete in itself.

(3) Every such appeal shall be submitted through the head of the office to which the appellant belongs or belonged and through the authority from whose order the appeal is preferred

18 Period of limitation for appeals.—No appeal shall be entertained by the Appellate authority unless it is submitted within a period of one month from the date on which the appellant received a copy of the order appealed against

Provided that, if the appellant satisfies the appellate authority that he had sufficient cause for not submitting the appeal within the said period, the appeal may be entertained by such authority, if it is preferred within two months from the date on which a copy of the order appealed against was communicated to the appellant

Explanation.—Where the person concerned has absconded or where it is for any other reason impracticable to communicate with him, the period of one month referred to in this rule shall be counted from the date of the order appealed against

19 Circumstances in which appeals may be withheld.—An appeal may be withheld by an authority not lower than the authority from whose order it is preferred, if—

- (a) it is an appeal against an order from which no appeal lies, or
- (b) it does not comply with any of the provisions of rule 17, or
- (c) it is a repetition of an appeal already decided and no new facts or circumstances are adduced, or
- (d) it is addressed to an authority to which no appeal lies under these rules:

Provided that in every case in which an appeal is withheld, the appellant shall be informed of the fact and the reasons therefor

Provided further that an appeal withheld on account of failure to comply with the provisions of rule 17 may be resubmitted at any time within one month of the withholding of the appeal and if resubmitted in a form which complies with the said provisions, shall not be withheld

20 List of appeals withheld—A list of appeals withheld under rule 19 together with the reasons for withholding the same, shall be forwarded on the first day each of January and July of every year by the withholding authority to the appellate authority

21 Cases where there is no right of appeal.—No appeal shall lie against the withholding of an appeal, by a competent authority

22 Appellate authority may call for any appeal withheld.—The appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass such order thereon as it thinks fit

23 Transmission of appeals.—Every appeal which is not withheld under these rules shall be forwarded without any avoidable delay to the appellate authority

by the authority from whose order the appeal is preferred with its comments thereon and the relevant records.

24. Appellate authority.—The authority by whom an order imposing a penalty may be reversed or altered in cases in which no appeal is preferred shall be the appellate authority specified in Appendix I referred to in rule 9 or any higher authority.

25. Delinquent not to resign.—No member of the Service shall be permitted to resign when disciplinary proceedings against him are pending or under contemplation.

26. Appeals preferred prior to commencement of the rules.—Nothing in these rules shall operate to deprive a member of the Service of any right of appeal, which he would have had if these rules had not been made, in respect of any order passed before they came into force. An appeal pending at the time when, or preferred after, these rules came into force shall be deemed to be an appeal under these rules, and shall be disposed of as if it is an appeal against an order appealable under these rules.

APPENDIX I

(Reference to in rule 9)

Class of Officers	Powers	Authority empowered to impose the penalty	Appellate authority
1	2	3	4
Class III	Penalties mentioned in items b (ii), (f), (g), (h), (i) of rule (7) and item (c) of rule 8.	The Administrative Officer, Cochin Port.	Secretary Department of Transport.
Class IV	—do—	Deputy Conservator	Administrative Officer, Cochin Port.
Class III and Class IV	All other penalties mentioned in rules 7 and 8.	Deputy Conservator	Administrative Officer, Cochin Port

APPENDIX II

PROCEDURE TO BE FOLLOWED WHILE IMPOSING THE PENALTIES IN RULES 7 AND 8 OF THE DISCIPLINE AND APPEAL RULES

1. Preliminary enquiry.—When any member of the Service is alleged to have committed an offence punishable under rule 7 or 8 the matter shall be reported within 48 hours of the occurrence by the Officer under whom the member is working to the next higher authority. The report shall contain all relevant details including the nature of offence, time, date and place of occurrence, names of witnesses etc. On receipt of such a report, the officer concerned shall make such investigation, if any, as he considered necessary and if has a result of this a *prima facie* case for disciplinary action is established, a decision shall be taken by the authority competent to impose the penalty or by any authority subordinate to such authority but superior in rank to the officer on whom it is proposed to impose the penalty whether the full machinery preliminary to punishment should be set in motion or not.

2. Charge sheet for the award of penalties other than those mentioned in clauses (f) to (i) of rule 7.—If a *prima facie* case is established, the delinquent shall be issued to a charge sheet either by or under the orders of the authority competent to impose the penalty. The charge or charges should be carefully framed, should be brief and couched in clear terms. A full and clear statement of facts in support of the charge or charges should be embodied in the charges sheet. The charge sheet should specifically state the period within which the representation of the delinquent should be submitted. Ordinarily this period should not exceed seven

days from the date of receipt of the Memorandum of charge by the delinquent. Any representation made by the delinquent shall be taken into consideration before the order imposing the penalty is passed by the competent authority.

It is not necessary that the charges should be framed by the authority competent to impose a penalty or even that the enquiry should be conducted by such authority. The charge can be framed and the enquiry held by any officer acting under the orders of the authority competent to award the penalty. This does not, however, imply that no other officer can frame charges and enquire. An officer superior to the delinquent can at any time and without specific authorisation by the authority competent to impose the penalty frame a charge and enquire into the conduct of an officer directly subordinate to him, although he may not be competent to impose a penalty.

3. Charge sheet for the award of penalties in clauses (f) to (i) of rule 7.—(1) It is particularly important that the charge or charges should be carefully framed and in doing so the following points should be borne in mind:—

- (i) The charge should be brief and couched in clear terms. Any vagueness should be avoided. The date of occurrence of the incident should always find a place in the charge.
- (ii) A single charge of a general nature such as corruption cannot be regarded as sufficiently definite. In connection with an inquiry into alleged corruption a separate charge should be framed in respect of each instance of alleged corruption. A series of charges on particular instances, however, be combined with a general charge of corruption or incompetence of which the instances form the evidence. For example, the results of a series of charges of delays may be noted after due enquiry as they occur in a conduct register and general charge of incompetence or persistent dilatoriness may be framed on them.
- (iii) A full and clear statement of the facts in support of a charge or each of the charges should be communicated to the delinquent along with the charge or charges.
- (iv) The names of prosecution witnesses (to be styled as 'P.Ws') to prove the charge will be mentioned therein. This should be done on the following lines:—

"The following are some of the witnesses to it proposed to examine in this connection. Others may also be examined, as found necessary."
(There is no need to enter what these witnesses are to prove).
- (v) The delinquent should be directed to submit his written statement within a specified period not exceeding fifteen days and also to produce a list of documents he proposes to cite and a list of witnesses whom he proposes to examine in defence.
- (vi) He should be required within a reasonable time to state specifically in writing whether he wishes to have an oral enquiry or only to be heard in person.

NOTE.—In grave case it is often desirable to conduct an oral enquiry whether the delinquent wants it or not.

- (vii) He may be apprised of the nature of the maximum penalty that may be imposed upon him if the charge or charges against him are proved.

(2) Two copies of the charges together with statements of the allegations on which each charge is based and of any other circumstances, which it is proposed to take into consideration in passing orders on the case against the delinquent shall be prepared. One copy shall be given to the delinquent for his personal use and he will be required to return forthwith the other copy with his written acknowledgment of receipt thereon.

4. Procedure for conducting oral enquiries.—(i) The delinquent's written reply to the charge(s) when received should be examined carefully to see whether all the items have been answered. If an oral enquiry is considered necessary a date for it should be fixed. If the delinquent refuses to submit a list of defence wit-

nesses with his written statement, fearing that the prosecution will tamper with them, he will not be precluded from citing his witnesses during the enquiry as there can be no question of refusing to hear them on the ground that he refused to give their list beforehand.

(ii) The oral enquiry shall be conducted by the punishing authority or by a subordinate authority not below the rank of Fire Officer but superior in rank to the delinquent.

(iii) (a) When the delinquent appears for the oral enquiry the enquiring officer should put the following question which with its answer (as in the case of all further questions and answers noted below), should be, recorded in writing in the 'Oral Enquiry File.'—

Q. "You have received a copy of the charge(s) and the facts in evidence and submitted your written explanation. Have you anything further to say before I proceed with the oral enquiry?"

A. This recorded question and answer (as in the case of all further questions and answers) must be read over (in translation if necessary) to the delinquent and his signature and that of the enquiring officer, appended to it. The form to be used should be:—

"Recorded by me; read over (and translated) to the deponent and admitted by him to be correct."

(b) The prosecution evidence shall then be taken. It is not necessary to record again the evidence of those prosecution witnesses who were examined and whose evidence was recorded in the presence of the delinquent at the preliminary investigation. It will be sufficient if their evidence so recorded is read out in the presence of the delinquent, the enquiring officer certifying in the proceedings file that this was done, and the delinquent was given an opportunity to cross-examine such witnesses, whether or not he had already cross-examined them further. If, however any witness was examined at the preliminary investigation in the absence of the delinquent such witnesses must, if the delinquent so desires, be examined-in-chief in his presence (instead of the evidence given at the preliminary investigation being read out) and the delinquent must also be given an opportunity to cross-examine the witness. The prosecution may re-examine such of the prosecution witnesses as it considers necessary, after which the delinquent must again be given an opportunity to put further questions.

(c) Prosecution witnesses who are summoned for the first time at the oral enquiry shall be examined. The delinquent should be asked to state if he wants to cross-examine them. Prosecution witnesses may be examined in such order as the Officer holding the enquiry deems fit.

(d) At the beginning of each statement, the name and rank of the witness must be entered, e.g. 'P.W.I. Leading Fireman (Name) Station'.

(e) At the foot of the completed deposition of each and every witness the entry detailed in sub-paragraph (a) should be made, the enquiring Officer, the witness and the delinquent all signing. If there is more than one page of deposition the pages other than the last should also be initialed by all the parties mentioned.

(f) All the statements of prosecution witnesses should be kept in one file.

(g) Prosecution documents are lettered as Exhibits A, B, etc. and must be kept in the prosecution file, and an index should be prepared showing the letter of the exhibit, its nature in brief and who has produced it.

(h) The prosecution side of the hearing being over, the enquiring officer should read the following question which he may put to the delinquent on the 'Oral Enquiry' File.

Q. You have heard the evidence against you. Have you any witnesses you want to examine in defence and any documents you want to be produced?

A.....

(i) The delinquent must be given sufficient time to draw up and present his list. The enquiring officer can question him for what purpose each witness is required so as to avoid prolongation of the enquiry by irrelevant thing or the citation of witnesses merely for delaying the proceedings. The enquiring officer

can, for sufficient reasons, refuse to hear any particular witness or allow any particular document to be produced, but he must record in the file his reasons for such refusal. Failure to record the reasons may vitiate the enquiry.

(j) Defence witnesses (styled as 'D.Ws.') are thereafter examined-in-chief by the delinquent and cross-examined, if necessary, by the enquiring officer (and not by other witnesses to the enquiry however much they are impunged). The delinquent may re-examine such of the defence witnesses as he considers necessary after which the prosecution may again question the defence witnesses further. The procedure is the same as in paragraph (b) to (h) above. A separate file will be maintained for defence evidence.

(k) Defence documents are numbered as Exhibits 1, 2, etc. for which an index should be prepared.

(l) If the delinquent dispenses with any of the defence witnesses, cited by him, this fact should be recorded in the 'Defence Witnesses' file under the signature of the delinquent and of the officer conducting the enquiry.

(m) If the enquiry is conducted on the complaint of a private person or body, the complainant shall not be allowed to cross-examine the officer charged who is, in such enquiry, in the position of an accused person, but the complainant may suggest questions to the enquiring officer to be put to the witnesses produced in defence of the officer charged or the enquiring officer may, in his discretion, permit the complainant to cross-examine the said witnesses.

(n) An officer conducting a departmental enquiry cannot be cited as a prosecution witness in the enquiry. If however, he is required as a defence witness by the delinquent, the latter should be asked to state in writing what points the officer cited has to elucidate. If the enquiring officer considers it unnecessary to allow himself to be examined as a defence witness, he will file that application with his remarks as part of the records of the enquiry and, if relevant, will incorporate the information contained in that application and his remarks in the minute. In case, however, he thinks that his examination as defence witness is really necessary, he may still conduct the enquiry if the points to be elicited from him are such that his answers will not in any way vitiate the result of the enquiry. In such cases, he should record *verbatim* the delinquent's questions and his replies both signing all the pages of the depositions.

In cases where the evidence that the officer is required to adduce is vital and is likely to have a bearing on the results of the enquiry, the enquiry should not be conducted by that officer but by some other officer.

(iv) Having completed the defence the enquiring officer should continue to make entries in the 'Oral Enquiry File' as follows:—

Q. "Your defence witnesses have been examined and such documents as you required have been produced and exhibited (with the exception of those refused by me as noted already in these proceedings for the reasons shown) have you anything further to say? You are entitled to put, if you desire, a further written statement of defence."

A.....

The questions and his reply should be recorded, read over (translated, if necessary) and signed by him and the enquiring officer.

With reference to the first question, if the delinquent states that he desires to recall certain witness for further cross-examination he should be allowed to do so, for in a departmental enquiry, the delinquent is entitled to reserve his cross-examination or further cross-examination of the prosecution witnesses. But the officer holding the enquiry should always ask him what further questions he wishes to put to these witnesses in order to satisfy himself that they are relevant and, if they are not, he can, for reasons to be recorded, refuse to recall such witnesses.

(v) (a) The officer holding the enquiry must be strictly impartial. It is particularly important that the formalities prescribed in the statutory rules and orders should be followed. It is essential that the conduct of the proceedings should not give rise to a belief in the mind of the person charged that the enquiry is being conducted in anything but impartial and detached manner.

(b) The oral enquiry should be completed with as little delay as possible. Care should be taken to avoid all dilatoriness and unnecessary adjournment or

postponement of the enquiry should be allowed with circumspection and only when necessary. Where an officer is suspended pending enquiry into his conduct on the ground that it is undesirable to allow him to continue on duty during the enquiry, it is all the more necessary that the enquiry should be completed with expedition.

5. Procedure for being heard in person.—Should the delinquent wish only to be heard in person, the actual proceedings will commence only after the action specified below has been taken by the enquiring officer.

The delinquent, in his written explanation should ordinarily have cited all his defence witnesses and documents for the consideration of the enquiring officer. The documents cited, which need not be proved by being produced by a witness, will be collected and examined by the enquiring officer, who will also examine the defence witnesses cited unless, for reasons to be recorded in writing, he decides not to examine all or any of them.

After having done all this the enquiring officer will proceed to hear the delinquent in person. The delinquent is entitled to put in only a personal representation to the enquiring officer in addition to what he has already stated in his written explanation. There is no question of citing witnesses or documents when the delinquent is being heard in person as all that should have been done in his explanation to the charge. If, however, any further witnesses or documents are cited by delinquent at this stage, it will be for the enquiring officer to consider their relevance at this stage in regard to the charge and examine them, if necessary, remembering that full justice should be done.

The enquiring officer will then record the personal representation of the delinquent and proceed to dispose of the charges.

6. Drawing up of minutes.—(1) A minute shall be written in all cases where the penalties mentioned in rule 7 or 8 of the rules are imposed.

(2) (a) To facilitate the writing of the minute and its readings by those who have to deal with it subsequently all papers and documents should be sorted and placed into their respective files and documents indices should be prepared and put on the file. The minute shall consist of:—

Charges and delinquent's written and oral statements (Proceedings file).

Statements of prosecution witnesses.

Statements of defence witnesses.

Prosecution documents.

Defence documents.

(b) Statements should be page numbered and exhibits should be lettered and a list of them included in the record. References in the minute to depositions or exhibits should be made by page number, letter or figures, as the case may be.

(c) Finally all files forming the record of enquiring should be docketed and index prepared.

(3) (a) The minute will be in a separate file and shall be written under the following heads:—

(i) Statements of the charge(s)

(ii) Summary of the facts and evidence

(iii) Summary of the defence

(iv) Findings on the charge

(v) The order (by the authority competent to award it).

(b) No reference to the demeanour of witnesses should be made in the minute unless a note was made in the records at the time of the enquiry in this regard. This is necessary to ensure that enquiring officers who frame minutes do not speak about the demeanour of witnesses merely from their memory.

(c) The summary under sub-paragraph (2) of the minute should not comprise of a reproduction of the evidence, but only so much of it as is essential for adequate discussion of the matters actually at issue. The evidence both for and against the delinquent should be attached to the minute. The minute should contain clear reasons for each finding.

(4) The officer holding the enquiry should record his findings on each charge separately after carefully considering the evidence adduced in support and against it. In case where there are several charges the enquiring officer should deal with each charge separately and in separate paragraph so that the difficulty that is usually experienced in such cases is avoided. If necessary a final summing up may be given at the end covering all the charges. In cases which are submitted to a higher authority, for the imposition of the penalty, the officer holding the enquiry may make a recommendation regarding the penalty to be imposed *suo motu*. In cases where he is directed to hold an enquiry it is open to the authority ordering the enquiry to direct the enquiring officer to make such recommendations.

7. Imposing of penalty.—For the award of penalties other than those mentioned in clauses (f) to (i) of rule 7, the competent authority shall straightaway pass the order on the minute taking into consideration the delinquent's explanation to the charge. In other cases the authority competent to inflict the penalty after arriving at a provisional conclusion in regard to the penalty to be imposed, should supply the person charged with a copy of the minute and call upon him to show cause within a reasonable time, not ordinarily exceeding fifteen days against the particular penalty proposed to be imposed. Any representation in this behalf submitted by the person charged shall be duly taken into consideration before final orders are passed.

NOTE.—The opportunity to show cause against the particular penalty proposed to be imposed referred to above can be given either by the authority competent to inflict the penalty or under his direction by a subordinate authority who is superior in rank to the officer on whom it is proposed to impose the penalty”.

[No. F. 6-PE(14)/61.]

M. V. NILAKANTA AYYAR, Under Secy.

(Departments of Communications and Civil Aviation)

(Posts and Telegraphs Board)

New Delhi, the 15th April 1963

G.S.R. 673.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules further to amend the Indian Telegraph Rules, 1951, namely :—

1. (1) These rules may be called the Indian Telegraph (First Amendment) Rules, 1963.

(2) They shall come into force on 1st May, 1963.

2. In the Indian Telegraph Rules, 1951,—

(i) in rule 2, clause (y) shall be omitted;

(ii) in rule 40 for clause (xi), the following shall be substituted, namely:—

“(xi) the fee for registration of an abbreviated address shall be Rs. 50 for a period not exceeding twelve months.

The fee for registration shall be paid in advance to the officer in charge of the telegraph office at which registration is effected.”;

(iii) in rule 60—

(a) for the word and figure and letter, “rules 60-A” the word and figure “rules 124” shall be substituted.

(b) for tables I and IV, the following tables shall be substituted, namely:—

"I.—For delivery in India

Class	For any number of words not exceeding ten, including the address	For each additional word after the first ten words.
	Rs. nP.	Rs. nP.
Express	1 50	0 20
Ordinary	0 75	0 10"

"IV.—For delivery in Nepal

Class	For any number of words not exceeding ten, including the address	For each additional word after the first ten words
	Rs. nP.	Rs. nP.
Express	1 50	0 20
Ordinary	0 75	0 10";

(iv) rule 60-A shall be omitted;

(v) for rule 62, the following rule shall be substituted, namely:—

"62.—On a telegram telephoned by a telephone subscriber (Rule 12), the telephone subscriber shall be required to pay the same charges as on a similar telegram of the same class and the same length and with the same special services, if any, not booked over a telephone call:

Provided that in a measured rate system, the call on which the telegram is booked shall be taken into account in determining the local call fees payable by the subscriber under section III of rule 434.

In respect of telegrams accepted by a village postman (Rule 9), a fee of 7 naye paise for each such telegram shall be payable in addition to any other charges payable on such telegrams.";

(vi) in rule 94, the proviso at the end of the first sentence beginning with the words "Provided that" and ending with the words "local telegram" shall be omitted and the semicolon shall be substituted by a full stop.";

(vii) in rule 111—

(a) the words "in Burma" shall be omitted;

(b) the proviso shall be omitted;

(viii) for rule 124, the following rule shall be substituted, namely:—

"124.—The minimum charge for a greetings telegram of eight words or less consisting of—

- | | |
|-------------------------------------------|---------|
| (a) the name of the addressee and address | 6 words |
| (b) greeting (indicated by a number) | 1 word |
| (c) the name of the sender | 1 word |

shall be as follows:—

For delivery in India		Each additional word over six in the address and over one in the name of the sender	
Class	Charge	Rs. nP.	Rs. nP.
Express	1 00	0 20	
Ordinary	0 50	0 10."	

(ix) for rule 225, the following rule shall be substituted, namely:—

“225.—On a telegram telephoned by a telephone subscriber (Rule 173), the telephone subscriber shall be required to pay the same charges as on a similar telegram to the same destination and of the same class and the same length and with the same special services, if any, not booked over a telephone call:

Provided that in a measured rate system, the call on which the telegram is booked shall be taken into account in determining the local call fees payable by the subscriber under section III of rule 434.”;

(x) for paragraph (C) of rule 451, the following paragraph shall be substituted, namely:—

“C.—Reduced charges during certain hours of the day including Sundays and telegraph holidays (Rule 78) and on certain classes of calls shall be as follows:—

				Classes of calls		
				Ordinary and S.V.H.	Most Urgent Immediate,	Immediate, Operations Immediate and Important
(a) On Sundays and telegraph holidays						
0000 hours to 2400hrs..	.	.	.	50%	75%	100%
(b) On other days						
0000 hours to 0800 hrs.	.	.	.	50%	75%	100%
0800 hours to 1900 hrs.	.	.	.	100%	100%	100%
1900 hours to 2400 hrs.	.	.	.	50%	75%	100%

The 100% tariff is the normal full-rate tariff for a trunk call of unit duration according to class of the call.

No reduction shall, however, be made which reduces the charge to less than 40 naye paise.”

[No. 2-8/63-R.]

D. R. NARANG,

Assistant Director General (Rates)